



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,002	09/27/2001	Sanaa F. Abdelhadi	AUS920010905US1	2728

40412 7590 06/03/2009
IBM CORPORATION- AUSTIN (JVL)
C/O VAN LEEUWEN & VAN LEEUWEN
PO BOX 90609
AUSTIN, TX 78709-0609

EXAMINER

MEUCCL, MICHAEL D

ART UNIT	PAPER NUMBER
----------	--------------

2442

MAIL DATE	DELIVERY MODE
-----------	---------------

06/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/965,002
Filing Date: September 27, 2001
Appellant(s): ABDELHADI ET AL.

Leslie Van Leeuwen (Reg. No. 42,196)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 07 January 2009 appealing from the Office action mailed 12 August 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

Art Unit: 2442

(8) Evidence Relied Upon

U.S. 5,101,425	DARLAND ET AL.	03-1992
U.S. 6,173,422 B1	KIMURA ET AL.	01-2001
U.S. 6,647,432 B1	AHMED ET AL.	11-2003

Joyce et al.; Monitoring Distributed Systems; May 1987; University of Calgary;
ACM Transactions of Computer Systems, Vol. 5, No. 2; pp. 121-150.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed.

a. Regarding claim 1, Joyce discloses a method of displaying the operating states of various machines on a network in response to a message command. The method includes displaying when each machine, identified by machine name (p. 133, line 43; fig. 7).

Joyce does not explicitly teach: the window being divided into sub-windows for displaying present status of the execution of the command on each of the computer systems. However, Ahmed discloses: "Windowing software technology is applied where it is important for an operator to display and interact with multiple programs executing concurrently in a computer system comprising one or more interconnected workstations. A "window" is defined to be a portion of a display screen, such as a cathode ray tube (CRT)," (lines 44-48 of column 1). It would have been obvious to display information concerning operations of a networked system in a plurality of

Art Unit: 2442

windows. Joyce and Ahmed are analogous art because they are both from the same field of endeavor of the display of operations of networked systems. "As a result, the operator may access a multiple number of different application programs thereby accomplishing multiple tasks without having to load a new program each time a new task must be performed," (lines 59-62 of column 1 and Ahmed). It is for this reason that one of ordinary skill in the art at the time of the Appellant's invention would have been motivated to divide the window into sub-windows for displaying present status of the execution of the command on each of the computer systems in the system as taught by Joyce.

b. Regarding claims 2-8, Joyce teaches: is waiting (p. 133, line 44), receiving (p. 134, line 2-3), and completed (p. 134, line 5). When the status of each machine changes, the display is changed to reflect the new status (p. 133, line 41 through p. 134, line 6). Joyce also discloses that a machine whose message command has failed is recognized (p. 138, lines 6-7). Joyce does not explicitly teach: displaying the names of the computer systems in the sub-windows in accordance with the status of the execution of the command on the computer systems. At the time of invention it would have been obvious to one of ordinary skill in the art to modify Joyce's method by placing the machine name icons into separate windows based on their current state of waiting, receiving, or finished. Fig. 2 of Ahmed clearly depicts displaying the names of the computer systems in the sub-windows in accordance with the status of the execution of the command on the computer system. "In FIG. 2, the plurality of different windows 12b or client application programs 20 displayed on the display screen 12a could include or

Art Unit: 2442

consist of a plurality of different client applications 20,” (lines 21-24 of column 32 in Ahmed). It is for this reason that one of ordinary skill in the art at the time of the Appellant’s invention would have been motivated to display the names of the computer system in the sub-windows in accordance with the status of the execution of the command on the computer systems in the system as taught by Joyce.

It would also have been obvious to include a “failed” window to reflect the existence of a machine that belongs in the category of having a message command that has failed, as detected by Joyce’s method (lines 6-7 on page 138). It logically follows that if a machine has finished, but has not failed, it should be grouped in a window separately as such. Joyce discloses changing the display to reflect a change in status, therefore it would logically follow that when combined with Ahmed, the icons would move from one state window to another when the associated machine’s state changes.

The motivation for these modifications would have been to provide a more organized display of which machines are in which states, rather than having to look at un-grouped icons that are spread around the display screen, as with Joyce’s original method.

Therefore it would have been obvious to combine Ahmed with Joyce for the benefit of organization to obtain the invention as specified in claims 2-8.

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed as applied to claim 8 above, further in view of Kimura.

Joyce and Ahmed do not expressly disclose that the names of the computer systems are displayed in red in the “failed” subwindow.

Kimura teaches that a color such as red can be used to denote an error condition in a display (col. 9, lines 56-60).

Joyce, Ahmed, and Kimura are all analogous art because they are all from the same field of endeavor of monitoring systems.

At the time of invention it would have been obvious to one of ordinary skill in the art to use the color red to display the machines experiencing error conditions.

The motivation for doing so would have been to provide a mechanism of communicating a warning to the operator (col. 9, line 60).

Therefore it would have been obvious to combine Kimura with Joyce and Ahmed for the benefit of communicating a warning to obtain the invention as specified in claim 9.

4. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed, in further view of Kimura as applied to claim 9 above, and further in view of Darland.

With respect to claim 10, Joyce, Ahmed, and Kimura do not expressly disclose that when the displayed name of a computer system is selected further information about the status of the command executing on the computer system is displayed.

Darland teaches that additional operating information about an item can be obtained by selecting that item (col. 11, lines 11-12; 18-22).

Joyce, Ahmed, Kimura, and Darland are all analogous art because they are all from the same field of endeavor of monitoring systems.

At the time of invention, it would have been obvious to one of ordinary skill in the art to modify Joyce, Ahmed, and Kimura's method by allowing additional information about the operation of the command to be displayed when a user selects Joyce's machine icon, as taught by Darland.

The motivation for doing so would have been to provide the user with information about the effectiveness of the system (col. 1, lines 5-7).

Therefore it would have been obvious to combine Darland with Joyce, Ahmed, and Kimura for the benefit of providing additional information to the user to obtain the invention as specified in claim 10.

With respect to claim 11, Kimura further discloses that when an error condition occurs, an error code and an error message can be displayed (col. 10, lines 9-18).

At the time of invention, it would have been obvious to further modify Joyce, Ahmed, Kimura, and Darland's method by allowing an error message to be displayed as part of the additional operating information when a failed machine icon is selected.

The motivation for doing so would have been to provide the user with information to help diagnose a failure in the system.

Therefore it would have been obvious to combine Joyce, Ahmed, Kimura, and Darland for the benefit of providing additional information to the user to obtain the invention as specified in claim 11.

With respect to claim 12, Darland further discloses that the additional operating information obtained by selecting the item can include a real-time progress indicator (col. 11, lines 2, 24-26).

At the time of invention it would have been obvious to one of ordinary skill in the art to further modify Joyce, Ahmed, Kimura, and Darland's method by allowing a real-time progress indicator to be displayed as part of the additional operating information when a receiving machine is selected.

The motivation for doing so would have been to allow the user to view the progress of the receiving operation.

Therefore it would have been obvious to combine Joyce, Ahmed, Kimura, and Darland for the benefit of providing additional information to the user to obtain the invention as specified in claim 12.

5. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed.

Joyce discloses a computer program product on a computer readable medium for displaying the operating states of various machines on a network in response to a message command. The product includes displaying when each machine, identified by machine name (p. 133, line 43; fig. 7), is waiting (p. 133, line 44), receiving (p. 134, line 2-3), and finished (p. 134, line 5). When the status of each machine changes, the display is changed to reflect the new status (p. 133, line 41- p. 134, line 6). Joyce also

Art Unit: 2442

discloses that a machine whose message command has failed is recognized (p. 138, lines 6-7).

Ahmed teaches that it is known to display information concerning operations of a networked system in a plurality of windows (col. 1, lines 44-48).

Joyce and Ahmed are analogous art because they are both from the same field of endeavor of the display of operations of networked systems.

At the time of invention it would have been obvious to one of ordinary skill in the art to modify Joyce's product by placing the machine name icons into separate windows based on their current state of waiting, receiving, or finished. It would also have been obvious to include a "failed" window to reflect the existence of a machine that belongs in the category of having a message command that has failed, as detected by Joyce's method. It logically follows that if a machine has finished, but has not failed, it should be grouped in a window separately as such. Joyce discloses changing the display to reflect a change in status, therefore it would logically follow that when combined with Ahmed, the icons would move from one state window to another when the associated machine's state changes.

The motivation for these modifications would have been to provide a more organized display of which machines are in which states, rather than having to look at un-grouped icons that are spread around the display screen, as with Joyce's original method.

Therefore it would have been obvious to combine Ahmed with Joyce for the benefit of organization to obtain the invention as specified in claims 13-20.

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed as applied to claims 13-20 above, and further in view of Kimura.

Joyce and Ahmed do not expressly disclose that the names of the computer systems are displayed in red in the “failed” subwindow.

Kimura teaches that a color such as red can be used to denote an error condition in a display (col. 9, lines 56-60).

Joyce, Ahmed, and Kimura are all analogous art because they are all from the same field of endeavor of monitoring systems.

At the time of invention it would have been obvious to one of ordinary skill in the art to use the color red to display the machines experiencing error conditions.

The motivation for doing so would have been to provide a mechanism of communicating a warning to the operator (col. 9, line 60).

Therefore it would have been obvious to combine Kimura with Joyce and Ahmed for the benefit of communicating a warning to obtain the invention as specified in claim 21.

7. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed, in further view of Kimura as applied to claim 21 above, and further in view of Darland.

With respect to claim 22, Joyce, Ahmed, and Kimura do not expressly disclose that when the displayed name of a computer system is selected further information about the status of the command executing on the computer system is displayed.

Darland teaches that additional operating information about an item can be obtained by selecting that item (col. 11, lines 11-12; 18-22).

Joyce, Ahmed, Kimura, and Darland are all analogous art because they are all from the same field of endeavor of monitoring systems.

At the time of invention, it would have been obvious to one of ordinary skill in the art to modify Joyce, Ahmed, and Kimura's product by allowing additional information about the operation of the command to be displayed when a user selects Joyce's machine icon, as taught by Darland.

The motivation for doing so would have been to provide the user with information about the effectiveness of the system (col. 1, lines 5-7).

Therefore it would have been obvious to combine Darland with Joyce, Ahmed, and Kimura for the benefit of providing additional information to the user to obtain the invention as specified in claim 22.

With respect to claim 23, Kimura further discloses that when an error condition occurs, an error code and an error message can be displayed (col. 10, lines 9-18).

At the time of invention, it would have been obvious to further modify Joyce, Ahmed, Kimura, and Darland's product by allowing an error message to be displayed as part of the additional operating information when a failed machine icon is selected.

The motivation for doing so would have been to provide the user with information to help diagnose a failure in the system.

Therefore it would have been obvious to combine Joyce, Ahmed, Kimura, and Darland for the benefit of providing additional information to the user to obtain the invention as specified in claim 23.

With respect to claim 24, Darland further discloses that the additional operating information obtained by selecting the item can include a real-time progress indicator (col. 11, lines 2, 24-26).

At the time of invention it would have been obvious to one of ordinary skill in the art to further modify Joyce, Ahmed, Kimura, and Darland's product by allowing a real-time progress indicator to be displayed as part of the additional operating information when a receiving machine is selected.

The motivation for doing so would have been to allow the user to view the progress of the receiving operation.

Therefore it would have been obvious to combine Joyce, Ahmed, Kimura, and Darland for the benefit of providing additional information to the user to obtain the invention as specified in claim 24.

8. Claims 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed.

Joyce discloses an apparatus of displaying the operating states of various machines on a network in response to a message command. The apparatus includes

Art Unit: 2442

displaying when each machine, identified by machine name (p. 133, line 43; fig. 7), is waiting (p. 133, line 44), receiving (p. 134, line 2-3), and finished (p. 134, line 5). When the status of each machine changes, the display is changed to reflect the new status (p. 133, line 41- p. 134, line 6). Joyce also discloses that a machine whose message command has failed is recognized (p. 138, lines 6-7).

Ahmed teaches that it is known to display information concerning operations of a networked system in a plurality of windows (col. 1, lines 44-48).

Joyce and Ahmed are analogous art because they are both from the same field of endeavor of the display of operations of networked systems.

At the time of invention it would have been obvious to one of ordinary skill in the art to modify Joyce's apparatus by placing the machine name icons into separate windows based on their current state of waiting, receiving, or finished. It would also have been obvious to include a "failed" window to reflect the existence of a machine that belongs in the category of having a message command that has failed, as detected by Joyce's method. It logically follows that if a machine has finished, but has not failed, it should be grouped in a window separately as such. Joyce discloses changing the display to reflect a change in status, therefore it would logically follow that when combined with Ahmed, the icons would move from one state window to another when the associated machine's state changes.

The motivation for these modifications would have been to provide a more organized display of which machines are in which states, rather than having to look at

Art Unit: 2442

un-grouped icons that are spread around the display screen, as with Joyce's original method.

Therefore it would have been obvious to combine Ahmed with Joyce for the benefit of organization to obtain the invention as specified in claims 25-32.

9. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed as applied to claims 25-32 above, and further in view of Kimura.

Joyce and Ahmed do not expressly disclose that the names of the computer systems are displayed in red in the "failed" subwindow.

Kimura teaches that a color such as red can be used to denote an error condition in a display (col. 9, lines 56-60).

Joyce, Ahmed, and Kimura are all analogous art because they are all from the same field of endeavor of monitoring systems.

At the time of invention it would have been obvious to one of ordinary skill in the art to use the color red to display the machines experiencing error conditions.

The motivation for doing so would have been to provide a mechanism of communicating a warning to the operator (col. 9, line 60).

Therefore it would have been obvious to combine Kimura with Joyce and Ahmed for the benefit of communicating a warning to obtain the invention as specified in claim 33.

Art Unit: 2442

10. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed, in further view of Kimura as applied to claim 33 above, and further in view of Darland.

With respect to claim 34, Joyce, Ahmed, and Kimura do not expressly disclose that when the displayed name of a computer system is selected further information about the status of the command executing on the computer system is displayed.

Darland teaches that additional operating information about an item can be obtained by selecting that item (col. 11, lines 11-12; 18-22).

Joyce, Ahmed, Kimura, and Darland are all analogous art because they are all from the same field of endeavor of monitoring systems.

At the time of invention, it would have been obvious to one of ordinary skill in the art to modify Joyce, Ahmed, and Kimura's apparatus by allowing additional information about the operation of the command to be displayed when a user selects Joyce's machine icon, as taught by Darland.

The motivation for doing so would have been to provide the user with information about the effectiveness of the system (col. 1, lines 5-7).

Therefore it would have been obvious to combine Darland with Joyce, Ahmed, and Kimura for the benefit of providing additional information to the user to obtain the invention as specified in claim 34.

With respect to claim 35, Kimura further discloses that when an error condition occurs, an error code and an error message can be displayed (col. 10, lines 9-18).

At the time of invention, it would have been obvious to further modify Joyce, Ahmed, Kimura, and Darland's apparatus by allowing an error message to be displayed as part of the additional operating information when a failed machine icon is selected.

The motivation for doing so would have been to provide the user with information to help diagnose a failure in the system.

Therefore it would have been obvious to combine Joyce, Ahmed, Kimura, and Darland for the benefit of providing additional information to the user to obtain the invention as specified in claim 35.

With respect to claim 36, Darland further discloses that the additional operating information obtained by selecting the item can include a real-time progress indicator (col. 11, lines 2, 24-26).

At the time of invention it would have been obvious to one of ordinary skill in the art to further modify Joyce, Ahmed, Kimura, and Darland's apparatus by allowing a real-time progress indicator to be displayed as part of the additional operating information when a receiving machine is selected.

The motivation for doing so would have been to allow the user to view the progress of the receiving operation.

Therefore it would have been obvious to combine Joyce, Ahmed, Kimura, and Darland for the benefit of providing additional information to the user to obtain the invention as specified in claim 36.

11. Claim 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Ahmed.

With respect to claim 37, Joyce discloses enabling a user to enter the command in a common interface, the command being either a request to start execution of another command or to stop execution of the other command, the common interface translating the command into the different command structures and enabling a user to send the command to the plurality of the computer systems (paragraph 3 of section 2.1 on page 125), enabling a user to indicate whether or not the execution of the command is to be monitored (paragraph 1 of section 2.3 on pages 126-127 and Fig. 3), and displaying the status of the execution of the command on each of the computer systems within a proper sub-window (p. 133, line 41 through p. 134, line 6). Joyce does not explicitly teach: displaying, if the execution of the command is to be monitored, a dialog window that is divided into a waiting, working, successful, and failed sub-windows for displaying present status of the execution of the command on each of the computer systems executing the command. However, Ahmed discloses: "Windowing software technology is applied where it is important for an operator to display and interact with multiple programs executing concurrently in a computer system comprising one or more interconnected workstations. A "window" is defined to be a portion of a display screen, such as a cathode ray tube (CRT)," (lines 44-48 of column 1). It would have been obvious to display, if the execution of the command is to be monitored, a dialog window that is divided into a waiting, working, successful, and failed sub-windows for displaying present status of the execution of the command on each of the computer systems

Art Unit: 2442

executing the command. Joyce and Ahmed are analogous art because they are both from the same field of endeavor of the display of operations of networked systems. "As a result, the operator may access a multiple number of different application programs thereby accomplishing multiple tasks without having to load a new program each time a new task must be performed," (lines 59-62 of column 1 in Ahmed). It is for this reason that one of ordinary skill in the art at the time of the Appellant's invention would have been motivated to display, if the execution of the command is to be monitored, a dialog window that is divided into a waiting, working, successful, and failed sub-windows for displaying present status of the execution of the command on each of the computer systems executing the command in the system as taught by Joyce. Joyce and Ahmed are analogous art because they are both from the same field of endeavor of the display of operations of networked systems. At the time of invention it would have been obvious to one of ordinary skill in the art to modify Joyce's method by placing the machine name icons into separate windows based on their current state of waiting, receiving, or finished. Joyce discloses changing the display to reflect a change in status, therefore it would logically follow that when combined with Ahmed, the icons would move from one state window to another when the associated machine's state changes. The motivation for these modifications would have been to provide a more organized display of which machines are in which states, rather than having to look at un-grouped icons that are spread around the display screen, as with Joyce's original method. Therefore it would have been obvious to combine Ahmed with Joyce for the benefit of organization to obtain the invention as specified in claim 37.

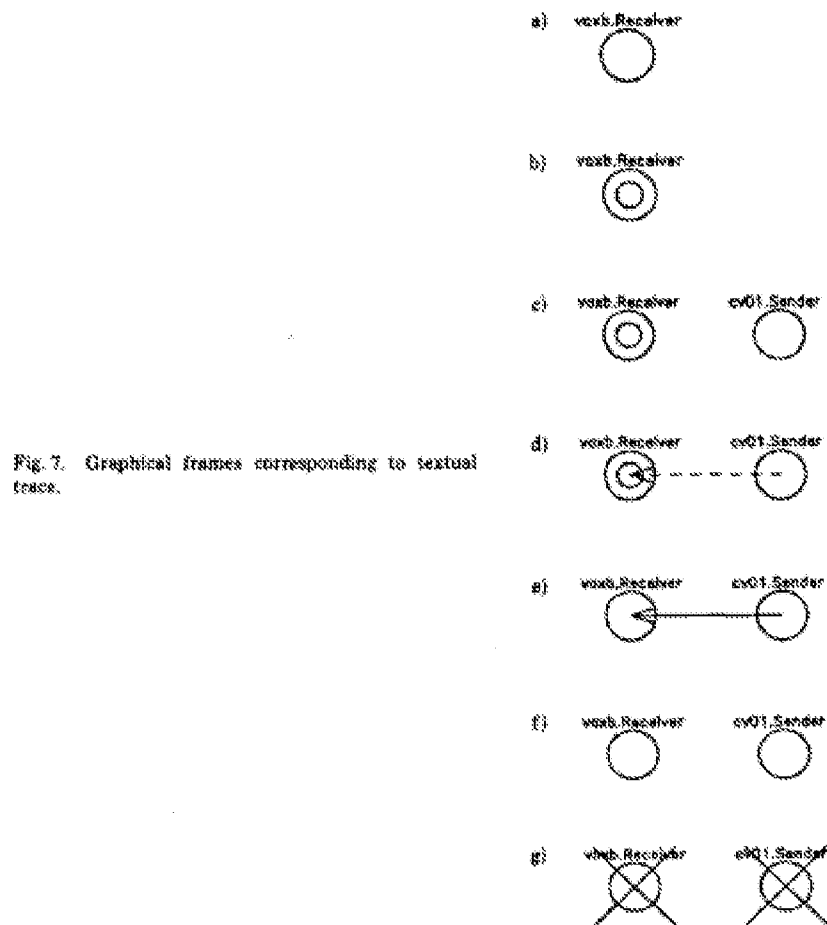
(10) Response to Argument

(A) Appellant argues – Regarding claims 1, 13, 25, and 37, Joyce does not teach displaying the status of a command that is being executed on the plurality of computer systems.

In response to the above argument, the examiner points to pages 133 and 134 of Joyce (Fig. 7 of Joyce is provided below): “A sequence of frames from a simple example is shown in Figure 7. The first frame (7a) shows the application system with process Receiver running on the machine named "vaxb." In the second frame (7b), the small circle inside the larger circle indicates that process Receiver is waiting to receive a message. In the next frame (7c), process Sender has entered the system running on "cv01." In frame 7d, process Sender has sent a message to process Receiver. The dashed arrow indicates that the message has been sent but not yet received by process Receiver. The fifth frame (7e) shows that process Receiver has received the message from process Sender; the dashed arrow turns solid, and the small circle disappears. When process Receiver replies to process Sender (7f), the solid arrow is removed. Finally, as each process leaves the system, it has a cross drawn over it (7g). Figure 8 shows the frame from the distributed banking system that corresponds to the system state after the events shown in Figure 6 have occurred.” It is clear from this description of Figure 7 of Joyce that the status for process “Receiver” on machine “vaxb” and a graphical representation of each status is provided by the Mona system described above. In addition, machine "cv01" is shown running process "Sender" in Figure 7 of

Art Unit: 2442

Joyce which includes multiple states and their graphical representations. Accordingly, Joyce does teach the argued limitation of displaying the status of a command that is being executed on the plurality of computer systems.



(B) Appellant argues – Regarding claims 2, 14, and 26, Joyce does not teach displaying a dialog window being divided into sub-windows, wherein said sub-windows include “waiting,” “working,” and “completed” sub-windows for displaying present status of the execution of the command on each of the computer systems..

The appellant's specification provides no definitions of a "dialog window" and "sub-window," but provides examples in the preferred embodiment in Fig. 6-10. Figures 9 and 10 of Joyce (shown below) are different representations of the same system.

"Figure 9 shows the two producers in an open group and the two consumers in an open group that has been shrunk. Figure 10 shows the display after both the producer and the consumer groups have been closed, and the entire subsystem has been enclosed in an open group. From here the user can choose to view the producer/consumer subsystem as a buffer in a larger system by closing and shrinking this group" (3rd full paragraph on page 136 of Joyce). The groups (dashed boxes in each figure) represent sub-windows that display the status of execution for each process. Therefore, Figure 9 represents a sub-window of the dialog window represented by Figure 10.

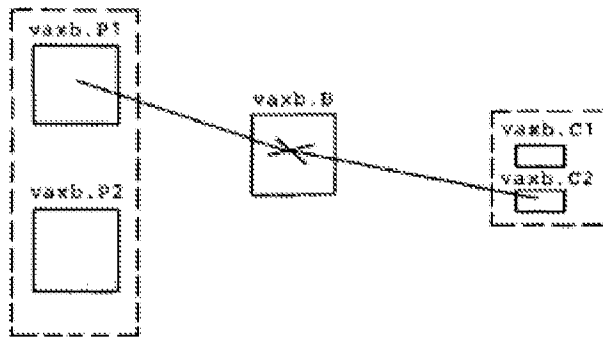


Fig. 9. Two open groups.

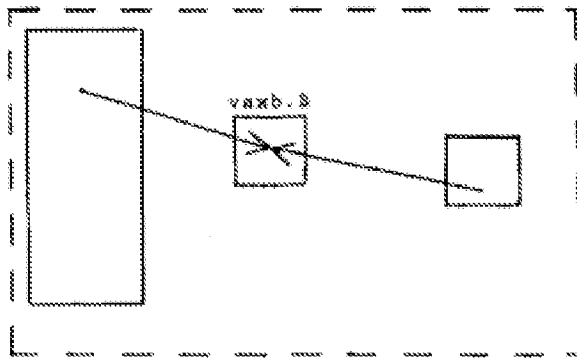


Fig. 10. Two closed groups within an open group.

In addition to the sub-windows described in Joyce, Ahmed describes a sub-windowing system. First, Fig. 2 of Ahmed describes “a corresponding plurality of window displays on one of a plurality of workstations,” (lines 36-37 of column 10). From this description, it is clear the window displays of Ahmed correspond to the sub-windows provided in the appellant's claims. Additionally, Fig. 1 of Ahmed clearly shows multiple windows (label 12b) in a single windowed display. Because Joyce describes each of the waiting (last paragraph on p. 133 in Joyce), working (receiving, first paragraph on p. 134 in Joyce), and completed (leaving, first paragraph on p. 134 in Joyce) statuses, it is clear that the display system of Joyce can be modified to incorporate Ahmed's sub-windowed display and group all like-status elements into their

Art Unit: 2442

appropriate sub-window. These window displays then correspond to each of the “waiting,” “working,” and “completed” sub-windows of the appellant's claims because they clearly display the status of the execution of the command on each of the computer systems within a proper sub-window. As such, the combination of Joyce and Ahmed does teach displaying a dialog window being divided into sub-windows, wherein said sub-windows include a “waiting” sub-window, a “working” sub-window and a “completed” sub-window.

(C) Appellant argues – Regarding claims 4, 16, and 28, Joyce and Ahmed do not teach the use of a "waiting" or a "working" sub-window.

Appellant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. This argument has been addressed above with reference to point (B).

(D) Appellant argues – Regarding claims 5, 17, and 29, Joyce and Ahmed do not teach the use of a "working" or a "completed" sub-window.

Appellant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. This argument has been addressed above with reference to point (B).

(E) Appellant argues – Regarding claims 6, 18, and 30, Joyce and Ahmed do not teach the use of a "completed" window being sub-divided into a "successful" sub-window and a "failed" sub-window.

Appellant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. One of ordinary skill in the art at the time of the Appellant's invention would have been readily motivated to divide any window into sub-classifications of the current statuses to create sub-divisions or sub-statuses. Any number of window/sub-window or status/sub-status combinations could be utilized making the number of divisions infinite. Therefore, any variation of the label for each status provided could be considered obvious based on the requirements of the system.

(F) Appellant argues – Regarding claims 7, 19, and 31, Joyce and Ahmed do not teach wherein the names of the computer systems that have successfully completed the execution of the command are displayed in the "successful" sub-window.

Appellant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Joyce describes this limitation on p. 134 in reference to label g) of Fig. 7. Because it has been established that the combination of Joyce and Ahmed can provide

Art Unit: 2442

sub-windowed statuses for completed elements, it is clear that the names of the computers can be displayed in the “successful” sub-window of Joyce and Ahmed.

(G) Appellant argues – Regarding claims 8, 20, and 32, Joyce and Ahmed do not teach wherein the names of the computer systems that have not successfully completed the execution of the command are displayed in the “failed” sub-window.

Appellant’s arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Joyce describes this limitation on p. 134 in reference to label g) of Fig. 7. Because it has been established that the combination of Joyce and Ahmed can provide sub-windowed statuses for completed elements, it is clear that the names of the computers can be displayed in the “failed” sub-window of Joyce and Ahmed.

(H) Appellant argues – Regarding claims 9, 21, and 33, Kimura does not teach displaying the names of the computer systems that have not successfully completed the execution of the command in red in the “failed” sub-window.

Kimura’s discloses: “When an error occurs in a video/audio device (in this example, the video/audio device 2b) on the display 25, the background color of the region 41b in the main window 40 containing the video/audio device 2b is changed from white to a warning color, such as red flickers, under control of the central processing unit 20,” (lines 56-61 of column 9). It is clear that Kimura’s changing of color graphically

Art Unit: 2442

highlights to a user that an error has occurred. The unsuccessful completion of a process on a computer is clearly an error. Therefore, Kimura can be properly combined with the system of Joyce and Ahmed so that the name of any computer to be listed in the “failed” sub-window is displayed in red. Regardless, the feature of changing text to the color red, or any color for that matter, is insubstantial to the system and is considered a design choice which carries no patentable weight.

(I) Appellant argues – Regarding claims 10, 22, and 34, Darland does not teach wherein when the displayed name of a computer system is selected, further information about the status of the command executing on the computer system is displayed.

It is provided in the combination of Joyce, Ahmed, and Kimura that the names of computers systems are displayed in one of the sub-windows corresponding to their current status of execution. Darland teaches providing further information about the status of execution when the selection is made. Darland discloses: “From this point, the display system slips into a similar command driven style of interface, waiting for the user to request information. It also has a periodic update interrupt which causes the display platform to request fresh information from the system monitor 16 for the current display. The user, using the mouse as a pointing device, selects the desired information or branches to another display, and the display platform will request the appropriate information and display it. The description below gives the detailed procedures used for this operation. The procedures are described using a Macintosh computer and the

Art Unit: 2442

Voicelink system presently sold by Digital Systems. The monitoring system 10 of the present invention is also usable with inbound/outbound call management systems of other manufacturers. It is further noted that while the displays with system performance information are described as appearing on the computer monitor screen, the information could be presented in other manners such as projected on a large screen or provided aurally to the user using a speech synthesis program.” (lines 19-40 of column 7). It is clear from this recitation that Darland displays execution status information (the display platform will request the appropriate information and display it) upon clicking the computer name (selects the desired information or branches to another display). The “appropriate information” described in Darland is exemplified as “system performance information” which would include execution status of the computer system. As such, the rejection remains proper and is maintained by the examiner.

(J) Appellant argues – Regarding claims 11, 23, and 35, Kimura does not teach wherein if the selected computer system is displayed in the failed sub-window, a reason for the unsuccessful completion of the execution of the command is displayed.

Kimura discloses: “When a command indicating the nature of an error is returned back from the video/audio device (2b in this example) to the central processing unit 20, the central processing unit 20 opens on the display 25 a window for displaying the content of the error,” (lines 9-13 of column 10). The opening of a window to display the content of an error (including error code, error message, time and date of error, and device ID) is clearly equivalent to providing a reason for the unsuccessful completion of

Art Unit: 2442

the execution of the command. An error code alone would be sufficient to teach a "reason" as prescribed by the Appellant, however, Kimura goes even further and explicitly provides an error message in addition to the error code and logging information. As such, the rejection remains proper and is maintained by the examiner.

(K) Appellant argues – Regarding claims 12, 24, and 36, Darland does not teach wherein if the selected computer system is displayed in the executing sub-window, a real-time progress of the execution of the command is displayed.

It has already been established above that selecting a computer system will provide further information to the display. Darland discloses: "It also has a periodic update interrupt which causes the display platform to request fresh information from the system monitor 16 for the current display," (lines 21-24 of column 7). One of ordinary skill in the art at the time of the Appellant's invention would readily recognize that "periodically updating" the display to request fresh information (as described here in Darland) at any short interval of time (milliseconds to several seconds) can be considered "real time" because the updated information would include the most recent status of execution of the computer system. As such, the rejection remains proper and is maintained by the examiner.

Art Unit: 2442

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

mdm

06 May 2009

/Andrew Caldwell/
Supervisory Patent Examiner, Art Unit 2442

Conferees:

/Andrew Caldwell/
Supervisory Patent Examiner, Art Unit 2442

/Larry D Donaghue/
Primary Examiner, Art Unit 2454

Correspondence Address of Record:

Leslie Van Leeuwen
IBM Corporation – Austin (JVL)
C/O Van Leeuwen and Van Leeuwen
PO Box 90609
Austin, TX 78709-0609